



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,752	06/25/2001	Jeffry Calhoun	00575	9775

26285 7590 10/07/2003

KIRKPATRICK & LOCKHART LLP  
535 SMITHFIELD STREET  
PITTSBURGH, PA 15222

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
----------	--------------

2642

7

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/888,752

Applicant(s)

CALHOUN ET AL.

Examiner

Rasha S AL-Aubaidi

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-8, 11-15, 18-22 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (US PAT # 5,259,026).

Regarding claim 1, Johnson teaches a system for routing a communication directed to a directory number, wherein a redirection service is operative with respect to the communication directed to the directory number to direct the communication away from the directory number to at least one other directory number whenever the directory number to which the communication was directed is inoperative (this reads on retrieving updated telephone numbers and replacing them with non-working telephone numbers, see abstract), the system comprising: a switch (this reads on switch 10, Fig. 1, see col.3, lines 56-58, col.5, lines 38-47 and col.6, lines 42-54) configured to receive the communication in a switched telephone network, wherein the communication is directed to the directory number having the directory service (this reads on the calls directed to the directory number), and wherein the switch (11 in Fig.2) is configured to detect the inoperative directory number associated with the communication (see col.6, lines 42-54)

Art Unit: 2642

; and a service control point (reads on SCP 21 in Fig. 2), in communication with the switch (see the relation between switch 11 and SCP 21 in col.6, lines 3-9, Fig. 2), wherein the switch is configured to provide the directory number to the service control point, and wherein the service control point includes a database of subscriber information maintained by the network (the database reads on the AIN rolling database element 50, see col.4, lines 56-67), and wherein the service control point is configured to search the database of subscriber information for a matching entry to the inoperative directory number (see col.4, lines 63-67 and col.5, lines 7-15), and wherein the service control point is configured to instruct the switch to redirect the communication away from the directory number to at least one other directory number upon finding the matching entry (see col.6, lines 42-68 and col.7, lines 18-24).

Claims 8, 15 and 22 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claims 4, 11, 18 and 25, Johnson teaches the database of subscriber information includes one or more alternate directory numbers pursuant to a pre selected redirection scheme (this may read on the data base which is updated, and calls should be completed to the updated telephone number, see col. 2, lines 18-27).

Regarding claims 5, 12, 19 and 26, Johnson teaches the switch is configured to resume directing the communication to the directory number to which the

Art Unit: 2642

communication was directed when no fault is detected. This is inherent, since calls basically will be directed to the directory number in normal manner, when there is no non-working or out of service status detected by the switch).

Regarding claims 6, 13, 20 and 27 Johnson teaches the switch routes the communication to the directory number to which the communication was directed when no corresponding entry is found in the database (see col.2, lines 28-30).

Regarding claims 7, 14, 21 and 28, Johnson teaches a service management system (this reads on the SLP 26), in communication with the service control point, for downloading subscriber information to the database (see col. 7, lines 29-36).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

Art Unit: 2642

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 2-3, 9-10, 16-17 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson.

Johnson does not specifically teach the switch is configured to test for the cable fault in a feeder cable.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply configuration to the switch in order to have the switch test and detect any faulty cable. This feature obviously provides the subscribers the convenience and the efficiency of routing calls, in case of failure on their cable, in addition to preventing the needless processing of calls to non-working numbers. For the use of feeder cable, this is obvious and well known in the art, since any kind of cable could be tested.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Weik et al (US PAT # 6,337,902) teaches processing call to a target subscriber who cannot be reached with a subscriber number dialed at a terminal, (see Summary of the invention also, col.3, lines 1-30).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha S Al-Aubaidi

09/30/2003

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600